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Interim Co-Lead Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION *E-FILED - 5/11/06*

In re CONSECO INSURANCE CO.
ANNUITY MARKETING & SALES
PRACTICES LITIG.

No. C-05-04726 RMW
And Related Cases

CLASS ACTION

STIPULATION AND ~~PROPOSED~~ ORDER
RESCHEDULING CASE MANAGEMENT
CONFERENCE

This Document Relates to:

ALL ACTIONS.

JUDGE: Hon. Ronald M. Whyte

1 Plaintiffs Robert H. Hansen and Friou P. Jones, on Behalf of Themselves and All Others
2 Similarly Situated ("Plaintiffs"), and Defendant Conseco Insurance Company ("Conseco"), by
3 and through their respective counsel of record, hereby stipulate as follows:

4 WHEREAS, both Plaintiffs and Defendant agree that Plaintiffs will file a consolidated
5 complaint which will supercede all other complaints previously filed and that it would be
6 premature to conduct a Case Management Conference before the filing of a consolidated
7 complaint;

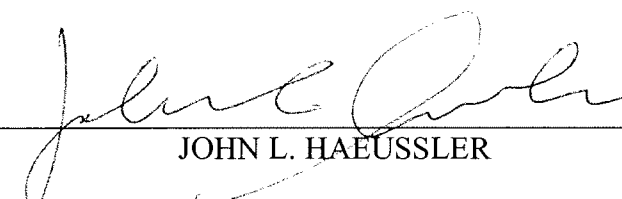
8 WHEREAS, in the interest of economy of both the parties and the Court and after
9 confirming the availability of the date on the Court's calendar;

10 IT IS HEREBY STIPULATED by and between Plaintiffs and Defendant that the Case
11 Management Conference be rescheduled from May 26, 2006 to July 28, 2006 at 10:30 a.m.
12 subject to approval of the Court.

13 DATED: May 8, 2006

Respectfully submitted,

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Counsel for Defendant Conseco

ORDER

AND NOW, upon consideration of the foregoing Stipulation of the parties and good cause appearing, the Case Management Conference in the above-captioned action is continued to July 28, 2006 at 10:30 a.m.

IT SO ORDERED.

DATED: 5/11, 2006

/S/ RONALD M. WHYTE

The Honorable Ronald M. Whyte
United States District Court Judge

Respectfully submitted,

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CERTIFICATE OF SERVICE

In re Conseco Insurance Co. Annuity Marketing & Sales Practices Litig.
Case No.: C-05-04726 RMW

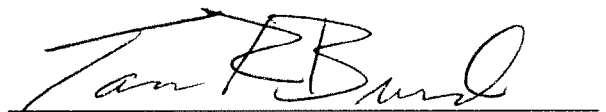
I, the undersigned, state that I am employed in the City and County of San Diego, State of California; that I am over the age of eighteen (18) years and not a party to the within action; that I am employed at Barrack, Rodos & Bacine, 402 West Broadway, Suite 850, San Diego, California 92101; and that on May 8, 2006, I served a true copy of the attached:

**STIPULATION AND [PROPOSED] ORDER RESCHEDULING CASE
MANAGEMENT CONFERENCE**

to the parties listed on the attached Service List by the following means of service:

- ☐ **BY E-MAIL:** I e-mailed a true copy addressed as indicated in the attached Service List, on the above-mentioned date.
- ☒ **BY MAIL:** I placed a true copy in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for mailing. It was deposited with the U.S. Postal Service on that same day in the ordinary course of business and there is a regular communication by mail between the place of mailing and the place so addressed.
- ☐ **BY FEDERAL EXPRESS:** I placed a true copy in a sealed envelope and addressed to the parties listed on the attached Service List, on the above-mentioned date. It is deposited with Federal Express on that same day in the ordinary course of business and there is a regular communication via Federal Express between the place of mailing and the place so addressed.
- ☐ **BY FACSIMILE:** From facsimile number (619) 230-1874, I caused each such document to be transmitted by facsimile machine to the parties and numbers indicated on the attached Service List.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 8th day of May, 2006.


TARA R. BURD

CONSECO SERVICE LIST

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